

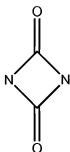
EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Christopher Korff on September 3, 2010.

Please rewrite claim 57 as follows:

57. Amino- and/or ammoniopolsiloxane compounds and salts thereof, comprising at least one functional group selected from the group consisting of formula (I) and formula (II):



(I)



(II)

wherein a is an integer from 0 to 2 and R and R' may be the same or different from one another and each represents an organic radical,

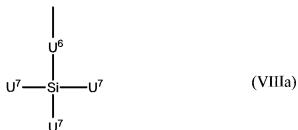
and wherein said amino- and/or ammoniopolysiloxane compounds contain at least two repeat units of the formula (IV):



wherein Q is at least one di-, tri- and/or tetravalent amino and/or ammonium group which is not bonded to V via a carbonyl carbon atom, and

V is at least one organic unit which is bonded to the Q units via carbon, with the proviso that at least one of the units V contains a polyorganosiloxane radical,

and wherein the compound further comprises at least one radical R¹ of the formula (VIIIa)



wherein

U⁶ is a divalent straight-chain, cyclic or branched, saturated, unsaturated or aromatic hydrocarbon radical which has up to 100 carbon atoms and may optionally contain one or more groups selected from -O-, -C(O)-, -NH- and -NU⁸- or may optionally be substituted by one or more hydroxyl groups, wherein U⁸ is hydrogen or a monovalent, straight-chain, cyclic or branched, saturated, unsaturated or aromatic hydrocarbon radical which has up to 100 carbon atoms and may contain one or more -O- groups and be substituted by OH, with the proviso that -NH- and -NU⁸- is bonded to a carbonyl and/or thiocarbonyl carbon atom, and

U⁷ is a monovalent, straight-chain, cyclic or branched, saturated, unsaturated or aromatic hydrocarbon radical which has up to 20 carbon atoms and may contain one or more -O- groups and be substituted by OH, with the proviso that the U⁷ radicals may be the same or different and at least one U⁷ radical per silicon atom is bonded to the silicon atom via -O-.

Applicant had been apprised of the Examiner's discovery that claim 57, which had earlier been indicated as being allowable, was actually dependent from claim 37, now cancelled. The Examiner proposed that claim 57 simply be rewritten in independent form to contain all the combined limitations of cancelled claim 37 and dependent claim 57. Applicant indicated that they were amenable to this modification.

Applicant essentially cancelled all the claims that had been rejected in the last Office communication leaving only those claims deemed allowable. An updated survey of the prior art did not yield a reference that even renders obvious the instant invention. Therefore, claims 15, 16, 38-42, 44, 46-47, 49-50, 52, 56-59, 61-62, and 65-66 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARC S. ZIMMER whose telephone number is (571)272-1096. The examiner can normally be reached on Monday-Friday 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jim Seidleck can be reached on 571-272-1078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

September 3, 2010

/Marc S. Zimmer/
Primary Examiner, Art Unit 1796